

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DWAYNE EICHLER,

Plaintiff,

No. CIV S-04-1108 GEB JFM P

vs.

CDC OFFICER SHERBIN, et al.,

Defendants.

ORDER

On June 21, 2005, plaintiff requested an extension of time to file a third amended complaint pursuant to the court's order of May 27, 2005. Good cause appearing, plaintiff's request will be granted.

On June 21, 2005, plaintiff also filed a request for extension of time to challenge this court's ruling concerning his due process claims, rendered in this court's March 16, 2005 order. Plaintiff states he received that order on June 8, 2005. Local Rule 72-303(b), states "rulings by Magistrate Judges shall be final if no reconsideration thereof is sought from the Court within ten court days . . . from the date of service of the ruling on the parties." E.D. Local Rule 72-303(b). Plaintiff's request for reconsideration of the magistrate judge's order of March 16, 2005 is therefore untimely, and his request for extension of time will be denied.

1 IT IS HEREBY ORDERED that:

2 1. Plaintiff's June 21, 2005 request for an extension of time to file a third  
3 amended complaint is granted;

4 2. Plaintiff shall file a third amended complaint on or before July 26, 2005. No  
5 further extensions of time will be granted.

6 3. Plaintiff's June 21, 2005 request for an extension of time in which to challenge  
7 this court's May 16, 2005 order is denied.

8 DATED: July 13, 2005.

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11 UNITED STATES MAGISTRATE JUDGE

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